

2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0061/1)-AB207)

Received: **04/13/2007**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Phil Montgomery (608) 266-5840**

By/Representing: **Adam**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Montgomery@legis.wisconsin.gov**

Carbon copy (CC:) to: **david.lovell@legis.wisconsin.gov**
john.stolzenberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Definition of "gross receipts"

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 04/13/2007	kfollett 04/13/2007		_____			
	mkunkel 04/13/2007	kfollett 04/13/2007		_____			
/1			sherritz 04/13/2007	_____	cdurst 04/13/2007	cdurst 04/13/2007	
/2	mkunkel	wjackson	nnatzke	_____	mbarman	mbarman	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	04/16/2007	04/16/2007	04/16/2007	_____	04/16/2007	04/16/2007	

FE Sent For:

<END>

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/?	mkunkel 04/13/2007	kfollett 04/13/2007		_____			
	mkunkel 04/13/2007	kfollett 04/13/2007		_____			
/1		12wly 4/16	sherritz 04/13/2007	_____	cdurst 04/13/2007	cdurst 04/13/2007	
			nwn 4/16	nwn/sh 4/16			

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<END>

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/?	mkunkel 04/13/2007 mkunkel	kfollett 04/13/2007					

11kjf sh
4/13
4/13
4/13

FE Sent For:

<END>

Kunkel, Mark

From: Raschka, Adam
Sent: Thursday, April 12, 2007 4:26 PM
To: Kunkel, Mark
Cc: Lovell, David; Stolzenberg, John; Venskus, Katy
Subject: Instructions

Attachments: Video amendments.04.12.07.doc; ad revenue language.doc

Mark,

The first attached document has two components. 1). DFI language. 2). Rights-of-Way language, which may now be moot now that you sent us a draft which looks to address this topic.

The second document is a gross receipts amendment in lieu of a0288/1 which we just received. Sorry we didn't get this new language to you sooner.



Video
adments.04.12.07.dnguage.doc (27 KB)

ad revenue

Thanks for all of you work on this.

If you ever need to get hold of me with a question and I am not at my desk, feel free to call my cell 608-513-9644.

Adam

A pro rata portion of all revenue derived, less refunds and rebates or
> discounts, by a video service provider for advertising over its video
> service network to subscribers within the municipality. The
> allocation shall be based on the number of subscribers in the
> municipality divided by the total number of subscribers in relation to
> the relevant regional or national compensation arrangement.

Kunkel, Mark

From: Stolzenberg, John
Sent: Thursday, April 12, 2007 6:21 PM
To: Raschka, Adam
Cc: Venskus, Katy; Lovell, David; Kunkel, Mark
Subject: RE: Instructions

Adam,

In addition to David's questions on the second attachment, I interpret the "total number of subscribers in relation to the relevant regional or national compensation arrangement" to be the number of subscribers who potentially receive the advertising under a regional or national advertising contract or other arrangement that the video service provider has entered into with one or more advertisers or the advertisers' representatives. Let us know if that's the wrong interpretation.

Is the second attachment also supposed to replace lines 8 and 10 in LRBa0288/1? Line 8 deals with the treatment of maintenance charges in the definition of "gross receipts." Line 10 deals with the deadline for a municipality to commence an action in a dispute over a video service provider fee.

John

John Stolzenberg,
Legislative Council
266-2988

From: Lovell, David
Sent: Thursday, April 12, 2007 4:55 PM
To: Raschka, Adam; Kunkel, Mark
Cc: Stolzenberg, John; Venskus, Katy
Subject: RE: Instructions

Adam,

Is the second attachment in lieu of LRBa0288/1 in its entirety, or just line 7 of it?

Also, if it is to replace line 7 only, should the pro rata language also be applied to revenues related to home shopping programming, on lines 5 and 6 of the amendment?

David

David L. Lovell, Senior Analyst
Wisconsin Legislative Council Staff
608/266-1537

From: Raschka, Adam
Sent: Thursday, April 12, 2007 4:26 PM
To: Kunkel, Mark
Cc: Lovell, David; Stolzenberg, John; Venskus, Katy
Subject: Instructions

Mark,

The first attached document has two components. 1). DFI language. 2). Rights-of-Way language, which may now be moot now that you sent us a draft which looks to address this topic.

The second document is a gross receipts amendment in lieu of a0288/1 which we just received. Sorry we didn't get this

new language to you sooner.

<< File: Video amendments.04.12.07.doc >> << File: ad revenue language.doc >>

Thanks for all of your work on this.

If you ever need to get hold of me with a question and I am not at my desk, feel free to call my cell 608-513-9644.

Adam

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: MDT) (Date: 4/13/07)



☐ Please transfer the drafting file for

2005 LRB _____ to the drafting file

for 2007 LRB _____

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--OR--

☐ Please copy the drafting file for

2007 LRB 20288 / 1 (include the version) and place it in the

drafting file for 2007 LRB 20292/1

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

D-NOTE

a0292/1

RM
NOT
RUN

**ASSEMBLY AMENDMENT
TO ASACLRB50061/1
TO 2007 ASSEMBLY BILL 207**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 11, line 14: delete "by subscribers residing within a municipality for
3 video service".

4 **2.** Page 11, line 23: after that line insert:

5 "f. Revenues received from the provision of home shopping or similar
6 programming.

7 g. Revenues received from the provision of advertising."

8 **3.** Page 12, line 7: delete that line.

9 **4.** Page 12, line 17: delete "and billed to video service subscribers".

10 **5.** Page 26, line 5: delete "3" and substitute "4".

11 (END)

INSERT 1-4

D-Note

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0292/lins
MDK:.....

INSERT 1-4:

g. All revenue, except for refunds, rebates, and discounts, derived by the video service provider for advertising over its video service network to subscribers within a municipality. If such revenue is derived under a regional or national compensation contract or arrangement between the video service provider and one or more advertisers or advertising representatives, the amount of revenue derived for a municipality shall be determined by multiplying the total revenue derived under the contract or arrangement by the percentage resulting from dividing the number of subscribers in the municipality by the total number of regional or national subscribers that potentially receive the advertising under the contract or arrangement.”.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0292/1dn

MDK:...

Kgf

Date

Rep. Montgomery:

This amendment is identical to LRBa0288/1, except for changes made to the advertising language, and the retention of "for video service" in proposed s. 66.0420 (2) (j) 1. (intro.).

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0292/1dn
MDK:kjf:sh

April 13, 2007

Rep. Montgomery:

This amendment is identical to LRBa0288/1, except for changes made to the advertising language, and the retention of "for video service" in proposed s. 66.0420 (2) (j) 1. (intro.).

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0292/1

MDK:kjf:sh

twlj

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0061/1),

TO 2007 ASSEMBLY BILL 207

Today 5pm
↓ # Page 5, line 140 before the comma insert
revenue received from advertisers

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 5, line 14: delete "by subscribers residing within a municipality".

3 2. Page 5, line 23: after that line insert:

4 "f. Revenues received from the provision of home shopping or similar
5 programming.

6 g. All revenue, except for refunds, rebates, and discounts, derived by the video
7 service provider for advertising over its video service network to subscribers within
8 a municipality. If such revenue is derived under a regional or national compensation
9 contract or arrangement between the video service provider and one or more
10 advertisers or advertising representatives, the amount of revenue derived for a
11 municipality shall be determined by multiplying the total revenue derived under the
12 contract or arrangement by the percentage resulting from dividing the number of

1 subscribers in the municipality by the total number of regional or national
2 subscribers that potentially receive the advertising under the contract or
3 arrangement.”.

4 ✓ **3.** Page 6, line 7: delete that line.

5 ✓ **4.** Page 6, line 17: delete “and billed to video service subscribers”.

6 ✓ **5.** Page 21, line 20: delete “3” and substitute “4”.

7 (END)